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ABSTRACT

A discussion of ethical standards for the employment of international graduate students as teaching assistants (ITAs) in higher education institutions outlines 10 basic ITA rights and highlights how these rights protect the ITA population. ITAs have, or should have, the right to: (1) maintain their own languages and cultures and, consequently, to practice their own teaching styles; (2) win appointments based on qualifications, not student or school need; (3) be recognized as employees of the institution; (4) receive appropriate training; (5) be measured on teaching ability, not language proficiency alone; (6) receive second-chance or follow-up opportunities for training; (7) work in a safe environment; (8) receive a reasonable stipend; (9) have a channel of communication with the administration; and (10) be protected by an appeals process in case of dismissal. Anecdotal and research evidence are provided to support these assertions. (MSE)

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A Bill of Rights for International Teaching Assistants

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As the celebrated "foreign teaching assistant problem" continues to grow in both complexity and volume, new voices are expressing concern for international teaching assistants (ITAs) and their welfare. ITAs themselves have begun to worry about their working conditions and job stability, occasionally in print. Writing in the University of California/Berkeley International Teaching Assistant Handbook, Agha Saeed (1988: 73-4) assures his peers that their "first and foremost right, as an international student, is to enjoy complete academic freedom without fear of discrimination, intimidation, and harassment"; and again, that they have "[e]qual protection under the law. Citizens and noncitizens cannot be treated differently." Fishman, Brown & Jones (1989: 3) have reviewed the legal rights of ITAs and stated that "it appears likely that legal challenges to particular statutes and policies may eventually be instituted by individual ITAs."

The statutes they refer to are new state laws--9 or 10 of them, at last count--designed to enforce ITA intelligibility in English. They foresee the possibility that these state laws will come into conflict with federal laws, specifically Titles VI and VII of the 1964 Civil Rights Act; the 14th Amendment, concerning due process and equal protection; the Immigration Reform and Control Act of 1986, governing the employability of legal residents; and United States Code, Vol. 42, which seems to accord legal residents status as a minority. Adding to the welter of overlapping and possibly conflicting regulations are new demands by accrediting agencies. The Accreditation Board for Engineering and Technology now has the reporting requirement, "Describe means used to assure that faculty members communicate fluently in English" (*Self-Study* 1988: I-4).

All of these external strictures merely add to the conflicts within the university that ITA-trainers know so well: Parents complaining to Provosts, department heads arguing with their deans, ITAs demanding to know from program staff why they must take a teacher-training program when American TAs do not. It is those internal conflicts that this paper addresses. This too is an expression of concern for the rights of international teaching assistants. In all innocence, ITAs enter into a contractual relationship with the

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university community only to find themselves identified as the cause of a problem that goes back almost as far as their birth dates--that is, they come burdened with a sort of original sin. We (in reality, our universities) need both to recognize and enforce such of their rights as are already clear and, in other areas, to set up ethical standards for their protection. A significant word in the title of my paper, however, is "A" rather than "The" bill of rights: Several of the rights proposed here are being aired for the first time, and we may be a long way from consensus on them.

The first of them sounds like a TESOL cliche, but is something more: ITAs have a right to their own languages and cultures. This is a basic right, we surely agree, of all foreign students. But a special problem faces the international teaching assistant: A great deal of acculturation (as well as language proficiency) is needed in the American classroom. There may be a theoretical question here as to whether we as trainers should profess a desire to make our ITAs bicultural or simply to give them a sufficient amount of classroom culture to deal with the American student. But there is a practical question too: Is it only the ITAs who must adjust? Educators are prone to high-minded statements about internationalism, about multi-ethnicity, about the importance of exposing students to differing viewpoints. We encounter these sentiments not only at TESOL or NAFSA conferences, but in publications of organizations like the College Board (1989: 7):

> Institutions of higher education in the United States welcome foreign students. Their presence helps to promote international understanding, and in the long run, makes for a more orderly and peaceful world. "In addition, American education is enriched by the academic and cultural contribution of foreign students (emphasis added).

If all these things are true, American undergraduates may not be getting the message. We and our universities must carry the news to them. Here the efforts of Diane vom Saal to sensitize students to ITA needs will serve as a model. Her work at the University of Missouri in fostering communication among undergraduates, ITAs, and the administration, has led to what she calls an "incredible dearth of complaints" (vom Saal: 1990). ITAs surely have the right to expect that their universities, in espousing internationalization, will encourage their undergraduates to accept other styles of teaching.

Second, ITAs have the right to win appointments on a realistic basis. Common sense tells us that, if an international graduate student lacks the communication skills needed for teaching, that student should not be given a teaching assistantship. The Test of English as a Foreign Language, still the principal Admissions criterion, does not constitute a realistic basis for a TA appointment. In Johncock's words,(1988, 1), ". . . language and testing specialists are quick to point out that TOEFL . . . should not be used to gauge speaking proficiency . . . ." Yet admission, based on TOEFL scores, is still often tantamount to eligibility for an assistantship.

It might seem logical, then, that a university should allow no new students to teach. The Missouri state law with respect to ITAs, for example, states that no ITA shall teach in his or her first term. In practice, this solution is likely to prove imperfect. Departments may carry new students for a term and then place them in front of classes, again without a realistic determination of their teaching abilities. Moreover, departments often assume the authority to appoint current graduate students to assistantships as the need arises, without reference to outsiders' reviews.

But the problem for many universities is that the assistantship is a recruiting device. Many promising students, as we know, simply cannot afford to support themselves for a semester or however long it takes for them to win an assistantship, and their departments do not want to lose them. How, then, is teaching ability to be determined before the student's arrival? The Test of Spoken English is usually proposed as the solution, but it too is problematic. When applicants regularly write to request the waiver of a $25 graduate admissions fee, we have little chance of persuading them to pay the $75 fee for the TSE. There are also interesting places where the TSE cannot be taken. These include Moscow, Berlin, Prague and all the other capitals of Eastern Europe; the countries of Denmark and Algeria; and such capital cities as Rome, Brasilia, and Lagos, Nigeria--now one of the world's most populous metropolitan areas.

It remains our responsibility to develop a realistic basis for determining new ITAs' communicative ability. A telephone interview is one possibility. Another, suggested in some seriousness, is to send a trained tester around the world to interview each admissible graduate student who applies for assistance; in the long run, such an excursion might be cost-effective.

A third right of ITAs is to have a recognized status as employees of their universities. One ITA in California has written (Moonwomon, 1987a: 9):

> Foreign students face particular economic and social difficulties at Berkeley. They must pay tuition, but usually have visas that do not allow them to work outside the university. They and their families have often made great sacrifices just to get the students here; then they are dependent on UC for employment. . . . Within the next three years, language testing may threaten employment security.

Leaving aside the implicit charge of the tyranny of the TSE, we can see here a compelling plea that universities recognize the international student as, in some sense, their ward. Any student, once accepted for admission, has certain claims on a university. And any student brought 6000 miles to a strange culture has a special claim--perhaps a moral rather than a legal claim--on the university for protection

But ITAs are employees, and as employees, they have other and greater rights, including prior information about working conditions. Here, perhaps, we as trainers could do more than we presently do. As Bailey writes (1984: 5), "In practice, it becomes the responsibility of faculty and TA trainers to make sure that foreign TAs . . . have a clear understanding of their roles and responsibilities as TAs . . . ." In this instance, Michigan State University provides a model for the rest of us to consider--a thick booklet given to all new ITAs which includes statements of policy titled "Academic Freedom for Students at Michigan State University" and "Graduate Student Rights and Responsibilities" (MSU 1987).

Once at work, the ITAs deserve a period of probation, like any other employee. Before any adverse action can be taken, the ITA must demonstrate that he or she cannot communicate sufficiently well to carry out TA duties. And even then, the university is obliged somehow to honor its "contract." An ITA surely has the same right as any other employee to make a good-faith effort to meet contractual obligations.

Fourth, the ITA has the right to receive appropriate training. Surely no one today would claim that training is a luxury. It defies sense to bring in persons we do not really want teaching our freshmen in the first place, and then to send them into the classroom without help. And training certainly means something more than a three-day "orientation" program just before classes open. But there are a number of issues to resolve: Who shall be eligible for training? Who shall do the training? What

constitutes "appropriate" training? And how will the training program be evaluated? We need not answer all these questions here, except as they affect the rights of ITAs:

(a) Eligibility for training is not easy to determine. Our training program at Drexel no longer accepts for training those who score below 170 on the TSE or SPEAK. Here we see one of those internal conflicts mentioned above: ITAs have rights, but so do their students, their departments--and sometimes, their trainers. And we the trainers must make some determination as to, first, who cannot be trained sufficiently well (in six, ten, or sixteen weeks) to enter classroom/laboratory teaching, and second, who can be trained but still needs more English instruction. We are then trapped by our standards, and confront a third category: ITAs so near fluency (with, say, 250+ SPEAK scores) that perhaps they should be excused from training--unless we insist (as we often do) that actually, culture and pedagogy are as important as language. If we claim the right to set standards, ITAs have the right to a clear statement of them.

(b) As for those who will carry out the training, that responsibility generally has been ceded to ESL personnel on the basis of the stereotype that the foreign TA problem is really an English problem. By this point, our role has been fairly well justified by our growing expertise and scholarship. ITAs have the right, however, to expect us to perform that role more than competently--and better than their own departments or the College of Education can.

(c) The appropriateness of our training programs depends upon their relationship to actual ITA needs. ITAs have a right, in effect, to expect us to do needs analyses and to continually improve the relevance of our programs. They are trainees but also employees granting us a certain amount of time to help them enhance their job performance.

(d) Evaluation of the program should be carried out constantly, by its administrators, by individual teachers, by departments, and at least indirectly, by students in ITA-led classes. To the list, we must add the ITAs themselves, for they have a right to grade our performance and our program.

In short, the question, What is appropriate training?, cannot and should not ever be fully answered.

A significant ITA right is to be measured on teaching ability by a teaching performance test. The logic here seems inescapable, and yet a lively issue boils

beneath the surface. In a study of performance tests, Bailey (1985) challenges their reliability, concluding that, "As a screening test for foreign TAs focuses less on purely linguistic competence and more on the specific functional skills involved in teaching, it will become, paradoxically, less fair, and presumably, less acceptable" (167). But do we then determine teaching readiness on the basis of SPEAK? Some of the new state laws (Florida, Tennessee, and Pennsylvania, at least in draft) would have it so. Surely, most of us disagree. In the words of Magdalena Costantino (1988), SPEAK is "not an exit exam." Truly, if our ITAs complete the training program to our satisfaction, can we hang SPEAK over their heads yet again? Current performance tests may be flawed or unwieldy, but the logic remains: We cannot accept the equation of teaching readiness with language proficiency. ITAs surely have the right to some measurement beyond--or at least, in addition to--SPEAK, if it is only a review of videotaped teaching modules by their graduate advisors.

Sixth, ITAs deserve to have second chance or follow-up opportunities for teacher training. Earlier, I stated that appropriate ITA training must be more than a short orientation. In fact, a year-round program is indicated, and ideally, a teaching improvement resource center should be instituted. These matters may be difficult for small institutions, of course, but other strategies seem manageable, and certainly fair and proper: (a) Graduate students whose English proficiency precludes any assignment or even training surely have the right to an appropriate ESL/communications skills course; (b) ITAs working with clearly inadequate teaching abilities deserve in-service training, which may include teaching workshops or a second enrollment in the training program; (c) even the best ITAs should be observed in class, either by ITA training staff or by departmental representatives.

Next--although this may seem to take us outside our purview--the ITAs' right to work in a safe environment must be addressed. There is cause for concern about ITA working conditions. We know, often from our own experiences of years ago, that graduate students on teaching assistantships are usually stretched thin. We know intuitively that some in fields other than ours--Electrical Engineering, Physics, and Mechanical Engineering being the most conspicuous--are exposed to complicated and high-powered machinery, and that chemists and materials engineers are surrounded in their laboratories by hazardous chemicals. We also hear of (sometimes, terrible) accidents caused by communications breakdowns. But except for an occasional

observation, most of us do not gain much first-hand understanding of our ITAs' working conditions.

In carrying out grant-funded research to develop a lab safety training unit for ITA programs, Margaret van Naerssen (1990) has discovered that, whereas theoretically, our teaching assistants work in laboratories well-regulated for safety, in actuality they are at risk. The Occupational Safety and Health Act mandates certain rights for laboratory workers:

> (1) The right to know about the safety conditions of any work situation--the equipment, the materials, the environment;
>
> (2) the right to safety training, such as on emergency procedures and disposal of hazardous wastes; and
>
> (3) the right to the maintenance of certain work safety conditions.

Van Naerssen's finding is, however, that OSHA generally allows universities to be self-regulating. She adds that, for a variety of reasons, international graduate assistants may be unwilling to admit that they do not understand safety procedures. Thus, there is reason to believe that ITAs may be more at risk than American TAs.

Two years ago, my colleagues and I (Barnes et al: 1988) tracked 10 ITAs of limited English proficiency through their work week, and discovered problems both of safety and workload. A young Chinese woman, whom my colleague Allison Rose accompanied on her duties throughout most of her workday, managed the organic chemistry stockroom, in which capacity she prepared reagents for the organic chemistry laboratory. She had little contact with students, by design, for her English proficiency was low; she seemed to be placed in a position where she could function adequately. But given, in addition, a workday that often stretched to midnight, we wondered whether she was safely placed in a chemical stockroom. Some concern on the ITA staff's part for the safety of science and engineering ITAs with limited English is appropriate; ITAs have a right to expect the university to place them in positions where they will be safe and to provide them appropriate training.

The next right, obviously, is to receive a reasonable stipend for a reasonable workload. The question of workload is almost as compelling as that of safety. Here again, universities are legally constrained, but in this case, specifically with respect to the working hours of ITAs. Smith and Althen (1989: 39) interpret the Code of Federal Regulations with respect to student employment as follows: "On-campus work,

including work undertaken pursuant to a scholarship, fellowship, assistantship, or postdoctoral employment, is limited to 20 hours per week while school is in session." If that regulation were rigorously enforced, the entire teaching assistantship system might crumble. Undermining the system is certainly not our aim, but some principle of "reasonable workload" should be established.

In the study of 10 students cited above, I too followed a student for a day; I'll call him "Han." In the Winter Quarter, he had been on a full-time teaching assistantship. By the time I tracked him, early in the Spring Quarter, he had been converted to a half-time teaching assistantship and a fourth-time research assistantship. He stated that he worked at least twenty hours per week on each assignment. We calculated that Han and the other nine students averaged 40+ hours per week in studying for their own coursework, because of their limited English; in this context, his workload became unreasonably unreasonable.

Then there was the problem of his stipend. Han as a full-time TA in the Winter Quarter had received $700 per month; as a half-time TA and quarter-time RA, his stipend for the Spring Quarter dropped to $530 per month. My university is surely not alone in such practices. From Berkeley has come a charge that some departments offer only 25% assistantships and a proportionately reduced tuition waiver, so that ITAs may net only $500 for a semester (Panoskaltis & Papoulia, 1987: 7). There is a scent of exploitation here. Perhaps American teaching assistants suffer the same vagaries, but we ought to be sure.

A salary should not be cut, particularly when the ITA is actually putting in the same or more hours. But ITAs need some way to guard against exploitation--which brings me to the next point: ITAs have the right to a channel of communication with the university administration. Teaching assistants in various places have attempted to organize into negotiating units, with varying success. I would not recommend such a course of action to ITAs. They may not need a union, but they clearly need a channel for the redress of various problems. Advisors cannot be counted on to provide those channels, because knowingly or unknowingly, they may be the problems themselves. One ITA, for example, believed that his advisor had plagiarized his ideas in an article written by the advisor; the student did not know where to turn for help except to the foreign student advisor. In small institutions, an untenured FSA or ESL teacher may have to help an ITA caught in such situations, or no help will be forthcoming. In large

institutions, an ombudsman may be available, but formalistic, adversarial procedures have a chilling effect on the ITA's desire for justice.

How can a channel of communication be created for our students? In practical terms, an association of ITAs nurtured--funded--by the graduate school is perhaps as good a solution as any. But some other person or support group might work as well. A forum is needed as much as a tribunal.

Finally, the ITA has a right to make a graceful exit. When ITAs prove unable to cope with their duties, they cannot simply be dumped. A Berkeley ITA (Moonwomon, 1987: 10) has put the case militantly: "[The Association of Graduate Student Employees] believes hired foreign TA's should be protected by an appeals process and alternate employment or other compensation if they are discriminated against on the basis of language." He goes on to write: "AGSE insists that the university . . . take responsibility for enabling [ITAs] to pursue their graduate training with fewer rather than more difficulties than they presently face."

We as trainers should acknowledge that we create some of those difficulties. We find ourselves in situations where we must recommend against placement in teaching situations, if not against training itself. The consequences of our actions are potentially dreadful. Perhaps we should not let these consequences sway our judgment, but surely we must work with our university administrations to ameliorate them. Denial of training cannot mean denial of a second chance; denial of teaching placement cannot mean loss of subsidy; denial of a teaching assistantship cannot mean termination with no hope of appeal.

The points made here, deans and department heads might say, constitute a challenge to the teaching assistantship system itself. Everyone knows, they could tell us, that TAs are always overworked. Everyone knows that a section split on the first day of classes instantly necessitates a new teaching assignment, even if it must be given to a poorly qualified teaching assistant. Departments have always faced uncertainties about courses to be covered and about funding; and everyone knows that a graduate assistant's function is, in part, to pay the price of these uncertainties.

But by reminding deans and department heads of ITA rights, are we truly undermining the teaching assistantship system? They share with us ethical and even legal obligations to these students. A more likely threat to the system is probably the university's unthinking overreliance on international teaching assistants.

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